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Counsel for Defendant BERNIE CUSTODIO

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
BERNIE CUSTODIO,  
  
Defendant.

CR-06-00659 VRW  
STIPULATION AND [PROPOSED]  
ORDER CONTINUING NEXT COURT  
DATE FROM JUNE 19, 2007 TO JUNE  
26, 2007 AT 10:30 A.M.

The undersigned parties stipulate as follows:

1. The next hearing date before this Court is scheduled for June 19, 2007 at 2:30 p.m. The parties are attending a settlement conference before Magistrate Judge James on June 18, 2007.
2. Undersigned defense counsel is unavailable on June 19, 2007. Both counsel are available on June 26, 2007, and the government does not object to the one week continuance in light of defense counsel's unavailability on June 19.
3. The parties agree that the time between June 19, 2007 and June 26, 2007 should be excluded from the computation of time within which the trial of this matter must commence because the ends of justice served by taking such action outweigh the best

1 interest of the public and the defendant in a speedy trial, in light of the need for the  
2 reasonable time necessary for effective preparation of counsel, taking into account the  
3 exercise of due diligence. 18 U.S.C. § 3161(h)(8)(A) and 3161(h)(8)(B)(iv).

4 IT IS SO STIPULATED

5  
6 Date: June 14, 2007

/S/  
SHAWN HALBERT  
Assistant Federal Public Defender

8  
9 Date: June 13 , 2007

/S/  
TRACIE BROWN  
Assistant United States Attorney

ORDER

For GOOD CAUSE SHOWN, it is hereby ORDERED that the next hearing in this matter, previously set by this Court for June 19, 2007 at 2:30 p.m., shall be continued to June 26, 2007 at 10:30 a.m. IT IS FURTHER ORDERED that the time between June 19, 2007 and June 26, 2007 shall be excluded from the computation of time within which the trial of this matter must commence because the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial, in light of the need for the reasonable time necessary for effective preparation of counsel, for the reasons described in the above stipulation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(8)(A) and 3161(h)(8)(B)(iv).

Date: 6/22/2007

